

3/5/18

11:20 A.M.

Chapter No. 305
18/SS02/R493
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SENATE BILL NO. 2457

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2457

AN ACT TO AMEND SECTION 69-24-13, MISSISSIPPI CODE OF 1972, TO REQUIRE THE NET TONNAGE OF SOIL OR PLANT AMENDMENTS DISTRIBUTED IN THE STATE TO BE REPORTED ANNUALLY RATHER THAN QUARTERLY; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 69-24-13, Mississippi Code of 1972, is amended as follows:

69-24-13. (1) There shall be paid to the commissioner for all soil or plant amendments distributed in this state an inspection fee of Thirty-five Cents (\$.35) per ton * * *. However, * * * products sold in packages of ten (10) pounds or less or one (1) gallon or less * * * shall be subject to an annual inspection fee of Fifty Dollars (\$50.00) in lieu of the Thirty-five Cents (\$.35) per ton fee. * * * The annual inspection fee shall be paid upon date of registration.

(2) Every person who distributes a soil or plant amendment in the state shall file with the commissioner, on forms furnished by him, * * * an annual statement setting forth the number of net

tons of each soil or plant amendment distributed in the state during * * * the previous year. The * * * statement shall be due within thirty (30) days following * * * the reporting year. * * * The statement shall be accompanied by a payment of the inspection fee at the rate of Thirty-five Cents (\$.35) per ton, except as specified in subsection (1) of this section.

(3) When more than one (1) distributor is involved in the distribution of a soil or plant amendment product, the last registrant who distributes to a nonregistrant (dealer or consumer) is responsible for reporting the tonnage and paying the inspection fees unless the reporting and paying of fees has been made by a prior distributor of the soil or plant amendment product. If the * * * statement is not filed or is filed falsely, or the inspection fee is not paid within thirty (30) days following * * * the reporting year, the commissioner and State Chemist may revoke the registration of * * * the products and a penalty of Ten Dollars (\$10.00) per day for each subsequent day shall be assessed against the registrant. The inspection fee and the penalty shall constitute a debt and become the basis for a judgment against * * * the registrant, which may be collected by the commissioner and in any court of competent jurisdiction without prior demand.

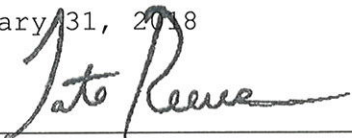
(4) The * * * statement required by this section shall not be a public record, and it shall be a misdemeanor for any person to divulge any information given in * * * the statement which

would reveal the business operations of a person or registrant * * * filing the * * * statement; provided, however, that nothing contained in this subsection shall be construed to prevent or make unlawful the use of information concerning the business operation of any registrant in any action, suit, or proceeding instituted under this chapter, including any civil action for collection of unpaid inspection fees, which action is hereby authorized and which shall be as an action at law in the name of the commissioner.

(5) All fees paid to the commissioner for registration, inspection, or penalties for product deficiencies shall be deposited into the General Fund account of the State of Mississippi.

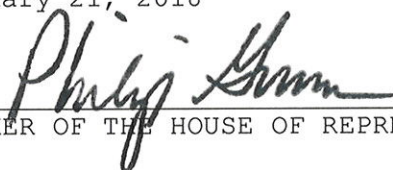
SECTION 2. This act shall take effect and be in force from and after July 1, 2018.

PASSED BY THE SENATE
January 31, 2018




PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
February 21, 2018



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR
March 5, 2018
11:20 AM